The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. REID. Mr. President, I ask unanimous consent that it be in order en bloc for these two bills to receive a second reading, and I would then object to any further consideration of this legislation at this time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will read the title of the bills for the second time.

The legislative clerk read as follows:

A bill (H.R. 2722) to implement effective measures to stop trade in conflict diamonds, and for other purposes.

A bill (H.R. 3189) to extend the Export Administration Act until April 20, 2002.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be placed on the calendar.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Chair recognizes the Senator from Rhode Island.

Mr. REED. Mr. President, I anticipate speaking a bit longer than 10 minutes. I ask unanimous consent to speak for so much time as I may consume.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

GUN SHOW BACKGROUND CHECK ACT OF 2001, S. 767

Mr. REED. Mr. President, I rise today to inform Senators of my intention to bring before the Senate at the earliest possible time an important piece of legislation that I introduced last April along with 21 of my colleagues.

Our bipartisan bill, S. 767, the Gun Show Background Check Act of 2001, would apply the Brady law to all firearms sales at gun shows, thereby closing the loophole that allows criminals to buy firearms from private sellers at gun shows without a background check. This legislation is identical to the Lautenberg amendment passed by the Senate on a bipartisan vote in the 106th Congress.

As long as gun violence continues to take the lives of 10 of our young people every day, and about 30,000 Americans every year, we must do everything we can to prevent convicted felons, domestic abusers, and other prohibited purchasers from gaining access to firearms.

It has been my intention to bring this legislation to a vote since its introduction last spring. We were asked not to offer the bill as an amendment to the education bill because it was one of the President's top priorities. We were asked not to offer it to the bipartisan campaign finance reform bill because it was non-germane. We were asked not to offer it to the bipartisan Patients' Bill of Rights because it was a fragile compromise. We were asked not to offer it to the Defense authorization bill because of the critical importance of moving that legislation. Finally, we are barred by Senate rules from offering the amendment to the fiscal year 2002 appropriations bills moving through the Senate.

By not enacting this legislation, we have, unfortunately, overlooked one of the most effective tools we can give to law enforcement to prevent violent acts against our people, and that is the ability to conduct background checks every time a gun is sold at more than 4,000 gun shows held in this country each and every year. The time has come for the Senate to consider this legislation. It was important before September 11, and it is even more important today.

Here are the facts: The Bureau of Alcohol, Tobacco and Firearms reported to Congress last year that gun shows are a major gun trafficking channel, responsible for more than 26,000 illegal firearms sales during a single 18-month period. Gun shows are the second leading source of illegal guns recovered in gun trafficking investigations. The FBI and ATF tell us again and again that convicted felons, fugitives from justice, and other prohibited purchasers are taking advantage of the gun show loophole to acquire firearms.

Now, more and more evidence is emerging that terrorists also know the weaknesses in our gun laws. The Chicago Tribune reported on November 18 that among the ruins of radical Islamic safehouses in Kabul were computer printouts of Jihad training manuals that emphasized how easy it is to obtain firearms, and firearms training, in the United States.

Under the heading ''How Can I Train Myself for Jihad,'' the manual says, ''in other countries, for example, some states of the United States or South Africa, it is perfectly legal for members of the public to own certain types of firearms. If you live in such a country, obtain an assault rifle legally, preferably AK–47 or variations, learn how to use it properly and go and practice in the areas allowed for such training.'' The manual goes on to advise those training for holy war to join American gun clubs to sharpen their shooting skills, saying,

There are many firearms courses available to the public in the USA, ranging from 1 day to 2 weeks or more. These courses are good but expensive. Some of them are only meant for security personnel but generally they will teach anyone. It is also better to attend these courses in pairs or by yourself, no more. Do not make public announcements when going on such a course. Find one, book your place, go there, learn, come back home and keep it yourself. . . . Useful courses to learn are sniping, general shooting and other rifle courses. Handgun courses are useful but only after you have mastered rifles.

We also have new evidence of suspected terrorists using gun shows to obtain weapons. On September 10, a jury in Detroit convicted Ali Boumelhem, a member of the terrorist group Hezbollah, on charges of conspiring to smuggle guns and ammunition to Lebanon. Mixed in with auto parts in a container bound for Lebanon, law enforcement authorities found a variety of weapons and accessories purchased at gun shows, including two shotguns, 750 rounds of ammunition, flash suppressors for AK–47s, and upper receiver for an AR–15 (the civilian version of the M–16), and speed loaders for 5.56mm ammunition.

Ali Boumelhem and his brother, Mohamad, knew the law well, and they exploited it over the years. Because Ali is a convicted felon and therefore prohibited from purchasing firearms under the Brady law, the confiscated weapons were purchased from licensed dealers at gun shows by Mohamad, who is not a felon. Mohamad was later acquitted of charges related to this illegal ''straw purchase.'' According to the court record, he also threatened a confidential informant during the investigation, saying ''If we cannot get you here we will take care of you in Lebanon.''

The investigation also revealed that prior to November 1998, when the National Instant Criminal Background Check System was implemented under the Brady law, Ali Boumelhem did purchase several shotguns from licensed dealers at gun shows by lying on the required form about his felony conviction. He knew that prior to the establishment of the NICS, background checks were not required on long guns in many States. We may never know what became of those guns, and, more importantly in terms of the legislation I am discussing today, we will never know whether Boumelhem or his brother purchased guns from private sellers at these gun shows because there is no record of sale or background check required for sales by unlicensed sellers at gun shows, then and now. What we do know is that this Hezbollah member found a large selection of weapons there and worked the system to his benefit over time before finally getting caught. We need to close the gun show loophole so that we prevent illegal weapons purchases by terrorists.

In another case, the New York Times reported on November 13 that Conor Claxton, a man accused of being a member of the Irish Republican Army, testified in Federal court in Fort Lauderdale that he and his associates had gone to south Florida gun shows to buy thousands of dollars worth of handguns, rifles, and high-powered ammunition to smuggle to Northern Ireland.

The Times also reported that on October 30 in Texas, Muhammad Navid Asrar, a Pakistani man, pleaded guilty